

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CENTRAL STATES, SOUTHEAST AND)	
SOUTHWEST AREA PENSION FUND, and)	
HOWARD McDOUGALL, trustee,)	Civil Action No. 08 C 228
)	
and)	Judge Darrah
)	
CENTRAL STATES, SOUTHEAST AND)	Magistrate Judge Brown
SOUTHWEST AREAS HEALTH AND)	
WELFARE FUND and HOWARD)	
McDOUGALL, trustee,)	

Plaintiffs,

v.

ACTIVE TRANSPORTATION COMPANY,
LLC,

Defendant.

AFFIDAVIT OF JIM BARLOS

I, Jim Barlos, state as follows:

1. I am the Chairman and Chief Executive Officer of Active Transportation Company, LLC. Active Transportation is a well-known national trucking company that delivers new vehicles from assembly plants to ports and rail heads throughout the United States and Canada. As Chairman and Chief Executive Officer of Active Transportation, I am authorized to make these sworn statements on Active Transportation's behalf.

2. In my capacity as Chairman and Chief Executive Office, I ultimately am responsible for the preparation and maintenance of Active Transportation's financial records, including the records showing the contractual obligations to make contributions to the Central States Funds. These financial records are compiled from information transmitted by persons

with knowledge, and are kept and prepared in the course of the regularly conducted business activity of Active Transportation.

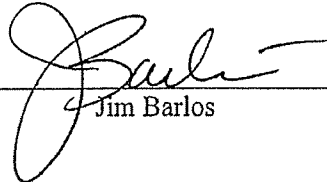
3. I have reviewed Exhibit 1 to this affidavit, which are the Central States Funds' accounting of what the Funds claim that Active Transportation owes to the Funds in contributions as of January 10, 2008. These amounts are incorrect. As of January 10, 2008, the Funds claim that Active Transportation owes \$377,053.87 in outstanding contributions to the Pension Fund and \$135,291.39 in outstanding contributions to the Health and Welfare Fund. The true and correct copies of Active Transportation business records attached as Exhibit 2, show that Active Transportation actually owes approximately \$173,531.60 in outstanding contributions to the Central States Pension Fund and does not owe any outstanding contributions to the Central States Health and Welfare Fund as of January 28, 2008.

4. Active Transportation has faced financial problems recently. These problems have been caused by the dramatic downturn in the domestic auto industry. This has been especially true for Ford Motor Company, one of Active Transportation's largest customers.

5. My review of Active Transportation's financials shows that Active Transportation will be in a position to pay all outstanding contributions to the Central States Funds in addition to any interest and liquidated damages by the end of May of 2008.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 28, 2008.



Jim Barlos

EXHIBIT 1

CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS
PENSION FUNDBREAKDOWN OF CONTRIBUTIONS OUTSTANDING
AS OF JANAUARY 10,2008ACTIVE TRANSPORTATION
ACCOUNT NO. 0103250-0109

TRANS. NO	DESCRIPTION	AMOUNT	INT. THRU 01/10/08*	PAYMENTS APPLIED	DATE POSTED	BALANCE DUE
1632615	WH Adjmt 1/07 & 8/07	\$374.00	\$1.90	\$374.00	11/27/2007	1.90
1632574	09/2007 Billing	\$182,328.40	\$728.86	\$60,000.00 122,328.40	11/09/2007 11/27/2007	728.86
1648739	10/2007 Billing	107,249.60	1,403.70	0.00		108,653.30
1662111	11/2007 Billing	115,246.40	613.41	0.00		115,859.81
1669870	12/2007 Billing	151,810.00	0.00	0.00		151,810.00
TOTALS		<u>\$557,008.40</u>	<u>\$2,747.87</u>	<u>\$182,702.40</u>		<u>\$377,053.87</u> **

FOOTNOTES:

*Interest thru 01/10/08
computed on individual items
from date due.

** A judgment entered against an employer shall include the total balance due as stated
above plus an additional amount equal to the greater of:

- (A) Doubling of interest \$2,747.87
- (B) Liquidated damages, based on the unpaid
contributions in the amount of 20% \$74,861.20

CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS
HEALTH AND WELFARE FUNDBREAKDOWN OF CONTRIBUTIONS OUTSTANDING
AS OF JANUARY 10, 2008ACTIVE TRANSPORTATION
ACCOUNT NO. 0103250-0109

TRANS. NO	DESCRIPTION	AMOUNT	INT. THRU 01/10/08*	PAYMENTS APPLIED	DATE POSTED	BALANCE DUE
1648739	10/2007 Billing	\$110,171.70	\$401.38	\$110,171.70	12/11/2007	401.38
1662111	11/2007 Billing	115,027.40	189.51	57,513.70 57,513.70	12/27/2007 01/05/2008	189.51
1669870	12/2007 Billing	134,700.50	0.00	0.00		134,700.50
TOTALS		<u>\$359,899.60</u>	<u>\$590.89</u>	<u>\$225,199.10</u>		<u>\$135,291.39</u> **

FOOTNOTES:

*Interest thru 01/10/08
computed on individual items
from date due.

** A judgment entered against an employer shall include the total balance due as stated
above plus an additional amount equal to the greater of:

(A) Doubling of interest

\$590.89

(B) Liquidated damages, based on the unpaid
contributions in the amount of 20%

\$26,940.10

EXHIBIT 2

Active Transportation Company LLC
2900 S. Davis Blvd Ste B
Joplin MO 64804

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[illegible]

Active Transportation Company LLC

2900 S. Davis Blvd Ste B

Joplin MO 64804

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Vendor ID	Vendor Name	Check Name	Payment Number	Check Date	Check Number		
CENT004	Central States Pension Fund	Central States Pension Fund	00000000000017186	1/18/2008	REMIT000000000001450		
Our Voucher Number	Your Voucher Number	Date	Amount	Amount Paid	Discount	Writeoff	Net
ACH 1/17/08 CS HWP	ACH 1/17/08 CS HWP	1/17/2008	(\$15,000.00)	\$0.00	\$0.00	\$0.00	\$0.00
00000000000015690	OCTOBER 2007 HWP	11/13/2007	\$92,249.60	\$0.00	\$0.00	\$0.00	\$0.00

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